

# Department of Marine Resources

## NOTICE OF AGENCY RULE-MAKING PROPOSAL

**RULE TITLE:** Chapter 8.20(P) Landings Program, Harvester Reporting, Urchin Harvest (Zone 1)

**CONCISE SUMMARY:** The proposed regulations would institute mandatory trip and area level harvest reporting by Zone 1 urchin harvesters. The Sea Urchin Zone Council (SUZC) voted to recommend mandatory harvester reporting by Zone 1 harvesters at their March 18, 2010 meeting. Their intention is that these fishery-dependent data will improve our understanding of the urchin resource by augmenting the data obtained through port sampling, dealer reporting and dive survey programs. For more details online go to <http://www.maine.gov/dmr/rulemaking/> or see contact information in this notice.

**STATUTORY AUTHORITY:** 12 M.R.S. §6171, §6173

### PUBLIC HEARINGS:

**June 15, 2010, 6:00 PM\***, Dept. of Marine Resources, Conf. Rm., 200 McKown Pt. Rd., West Boothbay Harbor (\*The Zone 1 season and reporting proposed rules will be followed by proposed season rules for Zone 2; see separate rulemaking notices.)

**June 16, 2010, 7:00 PM\***, Ellsworth City Hall (Auditorium), One City Hall Plaza, Ellsworth (\*The Zone 2 season proposed rules will be followed by proposed season and reporting rules for Zone 1; see separate rulemaking notices.)  
To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.

**DEADLINE FOR COMMENTS:** June 28, 2010

**AGENCY CONTACT PERSON:** Togue Brawn (tel: 207-624-6558)  
**Mail Written Comments to:** Department of Marine Resources, attn L Churchill  
**ADDRESS:** PO Box 8, West Boothbay Harbor, Maine 04575-0008  
**WEB SITE:** <http://www.maine.gov/dmr/rulemaking/>  
**FAX:** (207) 633-9579; **TTY:** (207) 633-9500 (Deaf/Hard of Hearing) **Hearing facilities:** If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

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**Proposed rulemaking – see underlined or ~~deleted~~ text below:**

Chapter 8 Landings Program

8.20 Harvester Reporting  
Any person that holds a handfishing sea urchin license, sea urchin hand-raking and trapping license or sea urchin dragger license (12 M.R.S. §6748, §6748-A or §6748-D) must report detailed trip and area level fishing activity on forms supplied by the Department. The following data elements must be reported to the DMR on approved paper forms or through approved electronic reporting mechanisms:

1. Harvester name (as it appears on the harvesting license) and license number
2. Boat name and hull ID
3. Designate negative report period if no harvesting activity occurred
4. Date fished & landed
5. Number of crew (including captain and all divers)
6. Gear type
7. Number of sets/tows/dives
8. Set time (average time fished per set/tow or average dive time)
9. Type of habitat
10. Average depth
11. Latitude/longitude in degrees, minutes and seconds
12. Sea time (including travel)
13. Pounds of urchins landed
14. License number of dealer sold to
15. Port landed
16. Signature, written or electronic

**Note:** M.R.S.A. would be replaced by M.R.S. throughout the entire chapter.

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***Additional information:***

The proposed rules would apply to persons that hold a Zone 1 handfishing sea urchin license issued, a Zone 1 sea urchin draggers license or a Zone 1 sea urchin hand-raking and trapping license issued in accordance with 12 M.R.S. §§ 6748, 6748-A or 6748-D, respectively.

The proposed regulations would institute mandatory trip and area level harvest reporting by Zone 1 urchin harvesters. The Sea Urchin Zone Council (SUZC) voted to recommend mandatory harvester reporting by Zone 1 harvesters at their March 18, 2010 meeting. Their intention is that these fishery-dependent data will improve our understanding of the urchin resource by augmenting the data obtained through port sampling, dealer reporting and dive survey programs.

The discussion was brought to the SUZC by the SUZC Research Subcommittee. The Research Subcommittee is interested in establishing benchmarks that would indicate when Maine's urchin population has changed enough to warrant management adjustments (fishing effort increase or decrease). They believe these data may help improve our understanding of the resource and improve our confidence in our resource assessment.

This rule would apply to Zone 1 harvesters only for the following reasons:

- The SUZC requested that only Zone 1 harvesters be required to report.
- This is being proposed as a pilot program. The Department is interested in evaluating the data received and the costs of the program prior to considering expansion to Zone 2.
- The SUZC is particularly interested in augmenting data in Zone 1. Whereas urchin populations have a "patchy" distribution and because the resource is less abundant in Zone 1, they believe the data would be more meaningful than in areas of greater urchin abundance.

The Department is interested in improving our understanding of the urchin resource, and is particularly interested in the fine-scale harvest area information this rule would provide. Harvest area information is the one element not currently captured in our other data collection efforts.

Comments are solicited on all aspects of the proposed rule. The Department is particularly interested in comments pertaining to fine-scale area effort information. For instance: are the data provided likely to be accurate, and would harvesters be willing to supply multiple entries each day (separate entries for each dive/drag area fished).